

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As one of the below-named inventors, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe I am an original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled COMPOSITIONS ISOLATED FROM STROMAL CELLS AND METHODS FOR THEIR USE, the specification of which

is attached hereto.

was filed on March 25, 1999 as Application No. 09/

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: **NONE**.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application: **NONE**.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<u>Name</u>	<u>Reg. No.</u>
Ann W. Speckman	31,881
Janet Sleath	37,007
Jim Klaniecki	38,207

Direct all telephone calls to Janet Sleath at telephone number (206)269-0565.

Address all correspondence to: Janet Sleath at:

LAW OFFICES OF ANN W. SPECKMAN
2601 Elliott Avenue, Suite 4185
Seattle, Washington 98121

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Lorna Strachan

Inventor's signature: _____ Date: _____

Residence : _____

Citizenship : _____

Post Office address: Genesis Research & Development Corporation Limited
1 Fox Street
Parnell, New Zealand

Full name of second inventor: Matthew Sleeman

Inventor's signature: _____ Date: _____

Residence :

Citizenship :

Post Office address: Genesis Research & Development Corporation Limited
1 Fox Street
Parnell, New Zealand

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Full name of third inventor: Nevin Abernethy

Inventor's signature: _____ Date: _____

Residence : _____

Citizenship : _____

Post Office address: Genesis Research & Development Corporation Limited
1 Fox Street
Parnell, New Zealand

65220-89297260

Full name of fourth inventor: Rene Onrust

Inventor's signature: _____ Date: _____

Residence : _____

Citizenship : _____

Post Office address: Genesis Research & Development Corporation Limited
1 Fox Street
Parnell, New Zealand

0922626262 - 032599

Full name of fourth inventor: Anand Kumble

Inventor's signature: _____ Date: _____

Residence : _____

Citizenship : _____

Post Office address: Genesis Research & Development Corporation Limited
1 Fox Street
Parnell, New Zealand

09279255-03269

Full name of fourth inventor: Greg Murison

Inventor's signature: _____ Date: _____

Residence : _____

Citizenship : _____

Post Office address: Genesis Research & Development Corporation Limited
1 Fox Street
Parnell, New Zealand

09275258 - 032590

PATENT APPLICATION

Applicant : Lorna Strachan et al.
Application : 09/_____
Filed : March 25, 1999
For : **COMPOSITIONS ISOLATED FROM STROMAL
CELLS AND METHODS FOR THEIR USE**
Attorney Docket No. : 11000/1037

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c))—SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below.

an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN: Genesis Research & Development Corporation Limited

ADDRESS OF CONCERN: 1 Fox Street
Parnell, New Zealand 1001

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties control or have the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **COMPOSITIONS ISOLATED FROM STROMAL CELLS AND METHODS FOR THEIR USE** by inventors Lorna Strachan, Matthew Sleeman, Nevin Abernethy, Rene Onrust, Anand Kumble, and Greg Murison described in:

the specification filed herewith.
 application no. 09/_____
 patent no. , issued .

065250-39294260

If the rights held by the above-entitled small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27.)

FULL NAME:

ADDRESS.

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: James D. Watson

TITLE OF PERSON OTHER THAN OWNER: Chief Executive Officer

ADDRESS OF PERSON SIGNING: 1 Fox Street
Parnell, New Zealand 1001

SIGNATURE _____ DATE _____